

1 KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

2 Kentucky Fire Commission

3 (New Administrative Regulation)

4 739 KAR 2:150. Alan “Chip” Terry Professional Development and Wellness Program.

5 RELATES TO: KRS 95A.292

6 STATUTORY AUTHORITY: KRS 95A.292

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 95A.292(4) requires the
8 Commission to promulgate administrative regulations to implement the provisions of KRS 95A.292.
9 This administrative regulation establishes (1) the qualifications and duties of persons used by the
10 Commission to implement and administer the Alan “Chip” Terry Professional Development and
11 Wellness Program; (2) the curriculum, programming, seminar type, and treatment modalities used
12 in the program; (3) the extent to which a participating firefighter’s relatives or friends may participate
13 in seminars; (4) the standards by which professional and volunteer firefighters from other states may
14 be accepted into the program by the executive director; and (5) a protocol for establishing reciprocity
15 for interagency assistance with other state, federal, and tribal professional and volunteer firefighters
16 in administering the program.

17 Section 1. Definitions. (1) “IAFF” means the International Association of Fire Fighters.

18 (2) “Program” means the Alan “Chip” Terry Professional Development and Wellness
19 Program.

20 Section 2. Instructor qualifications. (1) Any instructor used by the commission to implement
21 and administer the program shall:

- 1 (a) Be a professional, retired, or volunteer firefighter;
- 2 (b) Have a minimum of two (2) years experience as a peer supporter;
- 3 (c) Have a minimum of one (1) year of teaching or training experience; and
- 4 (d) Submit proof of completion of the two-day IAFF Peer Support Training, or its equivalent.

5 (2) Any instructor used by the commission to implement and administer the program shall
6 have training in general stress; group processes; human communication skills; direct intervention
7 strategies; post-traumatic stress disorder and depression; suicide awareness and postvention;
8 addressing stigma; understanding barriers to care; and substance abuse.

9 Section 3. Curriculum, programming, seminar type, and treatment modalities. (1) The
10 curriculum, programming, and treatment modalities used in the program shall be the IAFF
11 Behavioral Health Peer Support Training Student Manual.

12 (2) The seminar shall consist of a prerequisite online course and two (2), in-person, eight (8)
13 hour day peer support seminars designed to train peer support personnel to provide peer support to
14 other firefighters.

15 Section 4. Non-firefighter participation. Each participating firefighter may permit no more
16 than two (2) non-firefighters to attend and participate in the seminar with them.

17 Section 5. Out-of-state firefighter participation, reciprocity, and interagency assistance. The
18 executive director may permit any out-of-state, federal, or tribal professional or volunteer firefighter
19 to participate in the seminar if the professional or volunteer firefighter intends to be employed by a
20 Kentucky fire department or volunteer for a Kentucky volunteer fire department within one (1) year
21 of the seminar.

22 Section 6. Incorporation by reference. (1) The following material is incorporated by
23 reference:

1 (a) “IAFF Behavioral Health Peer Support Training Student Manual”, [9/2018].

2 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law,
3 at the Commission on Fire Protection Personnel Standards and Education, 118 James Court,
4 Lexington, Kentucky 40505, Monday through Friday, 8:30 a.m. to 4:30 p.m.

APPROVED:

Andrew Scott, Interim Chairperson
Kentucky Fire Commission

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on January 27, 2020 at 11:00 a.m. Eastern Standard Time at 118 James Court, Lexington, KY 40505. Individuals interested in being heard at this hearing shall notify this agency in writing by 5 workdays prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through January 31, 2020. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact Person: Jonathan L. Gay, Counsel for the Kentucky Fire Commission, phone (859) 225-4714, fax (859) 225-1493, email: administrativeregulations@wgmfirm.com

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

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Contact Person: Jonathan L. Gay, Counsel for the Kentucky Fire Commission, phone (859) 225-4714, fax (859) 225-1493, email: administrativeregulations@wgmfirm.com

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes (1) the qualifications and duties of persons used by the Commission to implement and administer the Alan “Chip” Terry Professional Development and Wellness Program; (2) the curriculum, programming, seminar type, and treatment modalities used in the program; (3) the extent to which a participating firefighter’s relatives or friends may participate in seminars; (4) the standards by which professional and volunteer firefighters from other states may be accepted into the program by the executive director; and (5) a protocol for establishing reciprocity for interagency assistance with other state, federal, and tribal professional and volunteer firefighters in administering the program.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to implement the Alan “Chip” Terry Professional Development and Wellness Program pursuant to KRS 95A.292.

(c) How this administrative regulation conforms to the content of the authorizing statutes: Pursuant to KRS 95A.292(4), the Commission must promulgate administrative regulations in accordance with KRS Chapter 13A to implement the Alan “Chip” Terry Professional Development and Wellness Program.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation establishes how the Alan “Chip” Terry Professional Development and Wellness Program is to be implemented and administered.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: Not applicable.

(b) The necessity of the amendment to this administrative regulation: Not applicable.

(c) How the amendment conforms to the content of the authorizing statutes: Not applicable.

(d) How the amendment will assist in the effective administration of the statutes: Not applicable.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This administrative regulation will affect all Kentucky professional and volunteer departments and firefighters.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Attendance and participation in the program is not mandatory. Therefore, no action is required to comply with this administrative regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There is no cost to existing entities.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Professional and volunteer firefighters will be offered seminar-based peer support and counseling services to reduce negative mental and behavioral health outcomes.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation: Approximately \$25,000 per year.

(a) Initially: Approximately \$25,000.

(b) On a continuing basis: Approximately \$25,000 per year.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Firefighters Foundation Program Fund established in KRS 95A.220, grants, gifts, state appropriations, and federal funds.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No fee increase is necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not directly or indirectly increase any fees.

(9) TIERING: Is tiering applied? Tiering was not applied because the administrative regulation is applicable to all credential holders. This regulation does not distinguish between similarly situated individuals on the basis of any factor.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

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Contact Person: Jonathan L. Gay, Counsel for the Kentucky Fire Commission, phone (859) 225-4714, fax (859) 225-1493, email: administrativeregulations@wgmfirm.com

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? Cities, counties, or taxing districts with fire departments.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation: KRS 95A.292.

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This regulation will not generate revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This regulation will not generate revenue.

(c) How much will it cost to administer this program for the first year? Approximately \$25,000.

(d) How much will it cost to administer this program for subsequent years? Approximately \$25,000 per year.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): None.

Expenditures (+/-): Approximately \$25,000 per year.

Other Explanation: None.

SUMMARY OF MATERIALS INCORPORATED BY REFERENCE

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The “IAFF Behavioral Health Peer Support Training Student Manual”, [9/2018], is the 195-page student training manual that is used in peer support seminars and designed to train peer support personnel to provide peer support to other firefighters. The Manual focuses on active listening skills, suicide awareness and prevention, crisis intervention, referrals to local resources, and relationships with local behavioral health providers.

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